



Research & Policy Brief Series

An Opportunity to Make NY Smarter about Smart Growth

By **Russell Glynn** and **David Kay**, Cornell University

What is the issue?

Urban sprawl and its negative impacts have become a potent catalyst for new policy action—often termed “smart growth” policies—over the last decade. At its worst, sprawl has drained urban and village centers of key employment and retail opportunities while marginalizing the poor, degrading farmland and open space, and promoting growth in private vehicle use among those able to “buy in” to suburban living. New York State (NYS), arguably the creator of the development pattern now associated with the term, took decisive action against publicly subsidized sprawl with passage of the State Smart Growth Public Infrastructure Policy Act in 2010.

The Act seeks to prevent public subsidization of sprawl-causing activity by NYS infrastructure agencies. It requires these agencies to audit project proposals they support for opportunities to include or expand upon smart growth principles. Although the Act was written to influence state-level authorities, local governments such as villages, towns, and cities are indirectly affected when they apply for NYS infrastructure funding. Thus, as state agencies change their procedures and funding priorities to be better aligned with the Act, local municipalities that adapt will be more competitive in securing NYS infrastructure funds. Despite the potential impact on municipal infrastructure funding, local governments’ familiarity with the State Smart Growth Act has not been systematically assessed.

Measuring Local Government Knowledge

Researchers at the Community and Regional Development Institute (CaRDI) and the Water Resources Institute at Cornell wanted to test whether municipal leaders in New York were aware of the Act and its implications for local development. In late 2013, a statewide survey was conducted to assess:

- How many local government leaders are aware of the State’s Smart Growth law, now several years old?
- What do they know about the law and its consequences for infrastructure funding?
- Do they perceive the law as being largely in alignment or conflict with their own local land use policies and goals?

The online survey was emailed to municipal leaders from a randomly selected sample of 171 of New York’s cities, towns and villages (excluding New York City). The sample was stratified by size, including each of the state’s 33 largest municipalities and an approximately 9% sample of smaller municipalities. Just over eighty responses were deemed useable, from a pool of public servants dominated by mayors, municipal supervisors, or their

Smart Growth defined for New York:

“Smart Growth is sensible, planned growth that integrates economic development and job creation with community quality-of-life by preserving the built and natural environments. [It] seeks to discourage development on open space and farmland and encourage growth in developed areas with existing infrastructure.”

– NYS Department of Environmental Conservation

immediate deputies. The results were weighted with respect to the sample stratification in order to ensure the results broadly represent the state’s municipalities, regardless of their size.

Local Leaders and the State Smart Growth Act

The survey responses indicate that only a minority of local government officials are aware of

the State Smart Growth Act, with roughly 3 out of 5 respondents unaware the law even existed. Further, many among the “aware” minority expressed a lack of clarity about the Act’s major policy implications. Not a single respondent considered themselves to be “very familiar” with it, though nearly 60% of the “aware” subgroup claimed to be “somewhat familiar.” About half of those “somewhat familiar” with the Act expressed the deeper knowledge that it could influence state decisions on whether or not to fund municipal infrastructure applications.

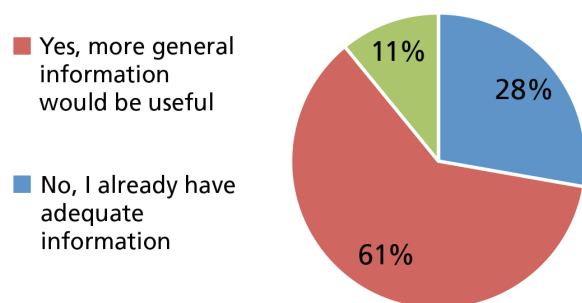
Survey results also indicate a general lack of clarity surrounding the Act’s detailed definition of smart growth. Of those aware of the Act, slightly more than half considered themselves “somewhat or very familiar” with its “definition of Smart Growth,” and fewer than 5% deemed themselves “very familiar.” The reality is that few municipal leaders are fluent in the Act’s major planning and policy implications for local governments. Though a concern, these results are unsurprising given the press of urgent local issues with which these leaders contend and the fact that the State Smart Growth Act’s impacts on municipalities are indirect.

Local leaders expressed a widespread interest in getting more information about the Act and its implications. Sixty one percent of respondents wanted “general” information about the law,



Photo: danielmyat on Flickr, Creative Commons license. <https://flickr.kaps021en>

Figure 1: Would more information about the State Smart Growth Act be useful to you?



and an additional 11% were interested in the Act's relationship to specific topics such as roadway improvements, stormwater management, broadband and public water for underserved areas, strategies for enhancing grant competitiveness consistent with the law, and its applicability to "small rural towns". These responses illustrate an opportunity for further action on the part of the state and various outreach groups to inform municipal leaders about the Act and its implications.

Smart Growth Principles in NYS Municipalities

The State Smart Growth Act is a very specific and relatively new law. As such, it is unlikely these survey results paint the whole picture of municipal familiarity with the guiding principles of smart growth. Thus, it is useful to contrast findings with more general awareness of smart growth.

The survey results demonstrate that local officials do indeed have a broader understanding of smart growth principles beyond the confines of the Act. For example, more than 40% of all respondents said they were "very familiar" with smart growth in general, though none claimed to be "very familiar" with the details of the law. This suggests that an important group of local leaders are knowledgeable about smart growth principles but remain unaware of the Act.

Respondents were asked about the extent to which smart growth concepts had been incorporated into local municipal law. The "protection of natural, agricultural, or historical resources" was one of two state smart growth goals supported by local policy in over half (55%) of the cities, villages and towns responding to the survey. The second smart growth goal adopted locally by over half of the responding communities (54%) was "to ensure that building and land use codes are fair and/or predictable".

Just under one third of the respondents (32%) reported that their municipalities had adopted some kind of policy or law intended to address sprawl. Respondents from towns were significantly more likely to have adopted such policies compared to those from villages and cities, possibly reflecting the historical location of most growth pressures.

It is significant that relatively few respondents reported implementation of any local policies to address the transportation aspects of smart growth. Such steps are often considered among the Act's key strategic goals, in part because of the tight relationship between land use patterns and the viability of various transportation options ranging from walking to public transit. For example, only 16% of respondents confirmed the

existence of policies intended to reduce automobile dependency. An even smaller fraction (10%) mentioned policies to improve public transportation. It is of course possible that different survey language, for example "promoting walkability", would have elicited higher numbers.

Several smart growth criteria of the Act are directly related to prioritizing the location of development: to encourage projects near municipal centers, to revitalize downtown spaces, and to channel projects to areas designated for development. A third of respondents declared their municipalities had a local policy addressing each of these priorities. Other distinctive goals of smart growth supported by local policies included: encouraging mixed land use (27%), increasing the diversity or affordability of housing (24%), and prioritizing the use of existing infrastructure (23%).

Trends in Local Infrastructure Planning

A selection of survey questions sought details from municipalities that had applied for state funding for infrastructure projects after passage of the Act. The most direct question asked, "To the best of your knowledge, did your municipality take into account any of the Act's Smart Growth criteria in formulating applications?" Of the 38% of respondents who had sought NYS funding, nearly half (48%) answered affirmatively. These findings suggest that municipalities that pursue state funding for infrastructure projects are considerably more likely to be aware of the Act and its smart growth principles. Those responding affirmatively to the question were asked to identify specific smart growth elements articulated in the Act that they cited in their funding applications.

The four most commonly mentioned smart growth elements in municipal infrastructure funding applications to the state were:

1. prioritizing existing infrastructure,
2. considering the needs of future generations,
3. protecting natural, agricultural or historic resources, and
4. encouraging community-based planning.

Far less frequently mentioned criteria for state applications included channeling projects to areas designated for development, ensuring fair and predictable land use codes (which was more popular in the questions about local-level policy described in the previous section), promoting sustainability by reducing emissions, and improving public transportation.

Conclusion

These results serve as an audit of the State Smart Growth Public Infrastructure Policy Act's effectiveness beyond its explicit objective of regulating NYS agencies. Yet land use policies tend to work best when the different levels of government are working together rather than in tension. The smart growth goals embodied in the Act cannot flourish if confined to planning by state agencies alone.

These findings signal that opportunities exist to expand upon the "trickle down" effect of the Act to the municipal level. As noted above, over 70% of survey respondents indicated interest in learning more about the Act and its implications for their municipality. By bolstering municipal leaders' knowledge of smart growth principles as well as the Act's core mechanisms and implications for infrastructure funding, NYS will be better able to adopt smart growth plans for the future.

